THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION Nos.19890, 19899 and 19942 of 1997

Dated: 31.01.2007

WRIT PETITION No.19890 of 1997:

Between:

J.Gurumoorthy Reddy S/o Sidda Reddy

..... PETITIONER

AND

The District Collector, Chittoor and others.

.....RESPONDENTS

WRIT PETITION No.19899 of 1997:

Between:

Jayamma W/o late Govinda Reddy and others.

..... PETITIONERS

AND

The District Collector, Chittoor and others.

.....RESPONDENTS

WRIT PETITION No.19944 of 1997:

Between:

Munaswamy Reddy S/o Rami Reddy

..... PETITIONER

AND

The District Collector, Chittoor and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION Nos.19890, 19899 and 19942 of 1997

COMMON ORDER:

Since the point involved in all these writ petitions is same, all these writ petitions are disposed of by this common order.

Petitioners are the absolute owners of various extents of lands in different survey numbers situated at Chinnavenkatampalle H/o Kollapalle Village, Irala Mandal, Chittoor District. Their lands were acquired by the first respondent in the year 1985 for construction of new tank on the request of the second respondent. Now the grievance of the petitioners is that though the lands were acquired in the year 1985, neither any land acquisition proceedings were initiated nor they were paid any compensation and thereby, they were deprived of their livelihood. Hence, these writ petitions seeking a direction to the respondents to pay compensation together with damages, interest and exemplary costs.

Common counter is filed in all these writ petitions stating that the petitioners approached this Court with a delay of more than twelve years and as such they cannot seek any direction against them and to substantiate their plea, they relied upon various judgments of the Supreme Court.

When the matter is taken up for hearing today, the learned Assistant Government Pleader for Land Acquisition, on instructions, submitted that subsequent to the filing of the writ petition, notification under Section 4(1) of the Land Acquisition Act 1894 (for short "the Act") was published in the A.P.Gazettee (extra ordinary) dated 15.05.1991 proposing to acquire the

lands in question. Thereafter, after following the mandatory procedure under the Act, an Award was passed on 29.08.20002 fixing compensation and accordingly, petitioners also received their respective shares of compensation.

In the light of the said submission, this Court is of the view that the cause in these writ petitions does not survive for adjudication.

Accordingly, these writ petitions are dismissed. There shall be no order as to costs.

31.01.2007

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